



PLANNING COMMISSION AGENDA REPORT

TO: Chairman and Commissioners
City of La Habra Planning Commission

FROM: Roy N. Ramsland Jr., Planning Manager
By: Anne Nguyen, Assistant Planner

DATE: March 13, 2017

CASE: Consideration of a request for Conditional Use Permit 17-01 for a restaurant at 156 West La Habra Boulevard.

SUMMARY RECOMMENDATION

It is recommended that the Planning Commission approve Conditional Use Permit 17-01 for a restaurant at 156 West La Habra Boulevard, subject to the findings and conditions in the attached resolutions.

PROJECT PROPOSAL

Description

The Applicant, Greg Jones is proposing to establish a new pizza restaurant within an existing commercial retail center located at the southwest corner of La Habra Boulevard and Euclid Street (see Vicinity Map, attachment 2). The General Plan Land Use designation for the site is Commercial Professional/Office Priority. The property is zoned La Habra Boulevard Specific Plan (SP-1) and is consistent with the General Plan.

Discussion

The subject restaurant is located within the commercial center located at the southwest corner of La Habra Boulevard and Euclid Street. The commercial center consists of one parcel totaling 35,525 square feet and includes ten commercial suites with a variety of service uses including a 7-Eleven convenience store, beauty salon, dentist, insurance office, mobile retail store, donut shop, and coin laundry.

In May of 2013, the Planning Commission approved Design Review 13-02 for façade and site improvements to the existing commercial retail center, and a reciprocal parking agreement was put in place with two parcels south of the alley (117-121 West First Avenue) directly behind the center. The Zoning Code permits off-site parking as long as it is located within 500 feet of the project site. In this case, the off-site parking area is located immediately adjacent to and south of the commercial center. On-site parking currently consists of 43 spaces in front of the center adjacent to La Habra Boulevard, and an additional 36 parking spaces in the rear, giving a total of 79 parking spaces.

The Applicant is proposing to establish a pizza restaurant to occupy the approximately 1,179 square foot tenant suite located at the far western end of the existing commercial center. The proposed tenant is Domino's, which specializes in traditional, specialty, and custom pizzas available in a variety of crust styles and toppings. Additional menu items will include pasta, oven-baked sandwiches, breadsticks, several side dishes as well as beverages and desserts. In addition to providing on-site customer food orders, the new Domino's will provide online ordering, and delivery. Thus, there will be a minimum of two part-time delivery drivers with their cars at peak business hours along with permanent staff, which will optimally consist of two employees per shift with a total of two shifts per day.

Of the 79 parking spaces provided, three parking spaces are currently designated for customers of the 7-Eleven convenience store located at the far eastern end of the commercial center. The Applicant is proposing that four parking spaces be designated for the new Domino's restaurant with two in the front specifically for Domino's customers, and two (2) in the rear allocated for delivery driver vehicles (see Site Plan, attachment 3).

The tenant space will be improved with an indoor seating area, kitchen area, office/storage area, walk-in cooler, and a unisex restroom. The indoor seating area will be approximately 200 square feet in size with a total of six chairs and a bench (see Floor Plan, attachment 4). The new restaurant will open daily beginning at 10:30 a.m. with closing hours to be midnight on Sunday through Thursday and 1:00 a.m. on Friday and Saturday.

Pursuant to Section 18.06.040.A of the Zoning Code, a Conditional Use Permit is required for restaurants in commercial zones.

The location of the new pizza restaurant is within an existing commercial retail center that fronts onto La Habra Boulevard and will not adversely impact the existing residential uses south of the site, nor does it conflict with other General Plan Goals and Policies. The late operating hours are consistent with the hours of other uses in this center. The 7-Eleven convenience store, which occupies the eastern end of the commercial retail center, currently operates 24 hours a day and 7 days a week, and the coin laundry located two suites east of the Domino's location will also operate into the evening from 5:00 a.m. to 10:30 p.m. Monday through Friday and 5:00 a.m. to 11:00 p.m. Saturday and Sunday.

The proposed restaurant complies with the applicable development standards and is compatible with the uses typically found in commercial retail centers. Granting the permit will be consistent with the General Plan goals and policies by contributing to the range of food options for the local community. Therefore, it is recommended that the Planning Commission approve Conditional Use Permit 17-01 for a new restaurant at 156 West La Habra Boulevard, subject to the findings and conditions in the attached resolutions.

Code Compliance

| | <u>City Requirements</u> | <u>Existing Conditions</u> |
|------------------------|--------------------------|----------------------------|
| Building Height | 50 feet (Max) | 20 feet |
| Front Setback | 10 feet | 61 feet 7 inches |
| Side Setback (East) | 10 feet | 0 feet** |
| Side Setback (West) | 0 feet | 0 feet |
| Rear Setback | 20 feet | 7 feet** |
| Floor Area Ratio (FAR) | 30% | 42% |
| Parking | 71 spaces | 79 spaces |

**Pursuant to Section 18.08.070.B, the Planning Commission may allow deviations in cases where compliance with the zoning code is not physically possible. Site deviations were approved as part of Design Review 13-02 for façade and site improvements to the existing commercial retail center.

NPDES

The proposal has been reviewed pursuant to the requirements of the City's National Pollutant Discharge Elimination System (NPDES) Municipal Permit, the Local Implementation Plan (LIP), and the Model Water Quality Management Plan (WQMP), Section 7.2. Since the proposal disturbs less than 1,000 square feet of area, this project is exempted by the Water Quality Ordinance from preparation of a Non-Priority Plan. All work will incorporate Best Management Practices (BMPs).

CEQA

This project has been reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorically Exempt pursuant to Section 15301(a), Class 1: "Existing Facilities" of the CEQA Guidelines. The project consists of the establishment of a new restaurant within an existing building.

General Plan Relevance

The project implements Policies LU 2.2 (Places to Shop), LU 3.2 (Uses to Meet Daily Needs), LU 3.8 (Cohesive and Integrated Development), LU 4.1 (Development Compatibility), LU 5.5 (Revitalization of Obsolete and Underutilized Properties), LU 11.1 (Diversity of Uses), ED 1.1 (Consumer Demand), and ED 2.1 (Business Attraction) of the General Plan 2035.

Related Cases

- On April 15, 1964, a Certificate of Occupancy was issued for the subject 16,450 square foot retail center.
- On July 8, 1996, the Planning Commission approved Plan Approval 95-15 for an exterior remodel of the existing retail center.

- On May 28, 2013, the Planning Commission approved Design Review 13-02 for façade and site improvements to the existing commercial retail center and MOD 13-01 to CUP 81-10 for the sale of alcoholic beverages (license Type 20, off-sale beer and wine) in conjunction with a convenience store.
- On March 19, 2014, the Director of Community Development approved Administrative Adjustment 14-03 to modify the storefront and floor plan of the future convenience store (7-Eleven) at 100 West La Habra Boulevard.

REQUIRED FINDINGS

Findings of Fact are required to be made before a Conditional Use Permit can be granted. The findings are provided in the attached resolutions along with conditions that staff has identified as being necessary to ensure that the proposed projects will have no negative effects on the public welfare and compliance with all appropriate City codes and ordinances (see Resolution, attachment 1).

RECOMMENDATION

It is recommended that the Planning Commission adopt resolutions entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
LA HABRA APPROVING CONDITIONAL USE PERMIT 17-01 FOR A
RESTAURANT AT 156 WEST LA HABRA BOULEVARD, AS PER THE
APPROVED PLANS AND SUBJECT TO CONDITIONS.

ATTACHMENTS

1. [Resolution](#)
2. [Vicinity Map](#)
3. [Site Plan](#)
4. [Floor Plan](#)
5. [Photos of Subject Site](#)
6. [Application](#)
7. [Noticing](#)